

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

AREA RENO HOTEL, LLC,

Plaintiff,

v.

VAMSIKRISHNA P. BONTHALA, *et al.*,

Defendants.

Case No. 2:11-CV-00617-KJD-CWH

ORDER

Before the Court is the Motion to Dismiss for Lack of Jurisdiction (#11) of Defendants Vamsikrishna P. Bonthala, Sheenal C. Patel, and Krishnakant Sangani (“Defendants”). Plaintiff filed an Opposition and Countermotion to Amend (## 24, 27). Defendants filed a reply and a response to the Countermotion to Amend (## 25, 26) and Plaintiff filed a reply in support of the Countermotion to Amend (#28).

Defendants argue that Plaintiff’s complaint is defective because it fails to properly allege diversity of citizenship. According to Defendants, for purposes of establishing diversity jurisdiction, Plaintiff is required to affirmatively allege the citizenship of Plaintiff’s constituent members or owners. In response, Plaintiff admits that the complaint is defective, but asks that the Court accept

1 the allegations of the complaint as sufficient to establish diversity jurisdiction, or in the alternative,
2 grant leave to amend the complaint to allege citizenship that establishes diversity. Defendants do not
3 oppose Plaintiff's request for leave to amend.

4 Accordingly, **IT IS HEREBY ORDERED** that the Motion to Dismiss (#11) is **DENIED** as
5 moot.

6 **IT IS FURTHER ORDERED** that the Countermotion for Leave to Amend (#27) is
7 **GRANTED**.

8 DATED this 18th day of July 2012.

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Kent J. Dawson
United States District Judge
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